

EXHIBIT 7

1 UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF NORTH CAROLINA
3 SOUTHERN DIVISION
4 Civil Action No. 7:23-CV-00897
5

6 - - - - -)
7 IN RE: CAMP LEJEUNE WATER LITIGATION)
8 - - - - -)
9

10 Thursday, March 27, 2025
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12
13

14 Videotaped Deposition of JAY L.
15 BRIGHAM, PH.D., a witness herein, called for
16 examination by Counsel for Plaintiffs in the
17 above-entitled matter, taken at the Offices of
18 Keller Postman, 1101 Connecticut Avenue, NW, Suite
19 1100, Washington, D.C. 20036, pursuant to
20 agreement, the witness being duly sworn by
21 Joe Strickland, RPR, CRR, CRC, a Certified
22 Stenographic Reporter and Notary Public in and for
23 the District of Columbia, the proceedings being
24 taken down by Stenotype by Joe Strickland, RPR,
25 CRR, CRC, and transcribed under his direction.

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C O N T E N T S

WITNESS: JAY BRIGHAM, PH.D.

EXAMINATION BY:	PAGE
Mr. Hughes.....	4
Ms. Hurt.....	214

E X H I B I T S

EXHIBITS	DESCRIPTION	PAGE
Exhibit 1	Brigham Report: 12-9-2024	44
Exhibit 2	Second Brigham Report: 2-7-2025	113
Exhibit 3	Benz Deposition, 1-10-2023	140
Exhibit 4	Longley Report: 12-2024	154
Exhibit 5	Second Longley Report: 1-13-2025	156
Exhibit 6	Longley Report: 3-17-2025	176
Exhibit 7	Brigham Report: Harrington 2007	188
Exhibit 8	Photo: Mr. and Mrs. McElhiney	190
Exhibit 9	Photo: Mr. McElhiney	191
Exhibit 10	Depository Pages: Well log images	193
Exhibit 11	Partain thesis	197
Exhibit 12	Photos for The Globe	210

1 MS. HURT: Objection to form.

2 THE WITNESS: No, I have not.

3 BY MR. HUGHES:

4 Q. Okay. In this matter you've had people
5 assisting you doing the work; correct?

6 MS. HURT: Objection to form.

7 THE WITNESS: I've had people assisting
8 me. I've also done quite a bit of work. It's a
9 collaborative effort with my staff.

10 BY MR. HUGHES:

11 Q. And you use the word "staff" in your
12 report?

13 A. I do.

14 Q. Okay. How many people are covered by
15 that term, "staff," for purposes of this project?

16 A. The staff includes four of my senior
17 research associates and then about four more
18 research associates.

19 Q. Okay. The DOJ was kind enough to
20 provide us with some supplemental information in
21 the last day or two. It indicated some people
22 that I want to ask you about and see if they were
23 staff or if they were involved in helping with the
24 work on this project. Okay?

25 A. Okay.

1 Q. The first is Annemarie Moore. Do you
2 know if she was involved?

3 A. Yes, she was.

4 Q. And then Clara Barclay?

5 A. Yes, to a lesser degree.

6 Q. Jai -- J-A-I Alterman.

7 A. Yes, Jai Alterman was.

8 Q. Jennifer Lapp, L-A-P-P?

9 A. Yes, Jennifer was also involved.

10 Q. Karen Luu, L-U-U?

11 A. Yes, she was. Correct. Karen was also
12 involved.

13 Q. Peter James?

14 A. Yes.

15 Q. Rori Cochran?

16 A. Yes.

17 Q. Clifford -- gosh, I'm going to spell
18 this one -- O-R-A-T-O-K-H-A-I?

19 A. Yes, Oratokhai. At the beginning, but
20 he didn't have a lot of involvement.

21 Q. Sarah, with an H, Casella,
22 C-A-S-E-L-L-A?

23 A. Yes, again her -- she was also involved,
24 more so at the beginning.

25 Q. Daphne N-G-O?

1 A. Yes, Daphne was last summer.

2 Q. Randy Scott?

3 A. He was also involved.

4 Q. And Jenna Hill -- J-E-N-N-A Hill. Was
5 she involved?

6 A. Yes, she was.

7 MR. HUGHES: And when we go off, I can
8 give you any spellings.

9 BY MR. HUGHES:

10 Q. And it looks like the amount of the
11 bills that your firm has sent to date to the
12 Government for the work on this cases and out at a
13 little over \$843,000. Does that sound correct?

14 A. Yes, approximately correct, yeah. Yes,
15 excuse me. I should say yes.

16 Q. At any time -- strike that.

17 Can you think of any other staff that
18 helped you on the project besides the ones we
19 named?

20 A. The other name that appears on some of
21 those would be Ari Kelman.

22 Q. Kelman, the other historian expert the
23 Government has retained?

24 A. Yes.

25 Q. Have you looked at his report?

1 sorry; I did not think he was correct when he
2 stated that the B29s used the Bosch spark plugs.

3 BY MR. HUGHES:

4 Q. Right. But other parts of his testimony
5 like about B29s, you were not challenging; fair?

6 A. Again, you know that report was written
7 18 years ago. I don't remember. I think my
8 recognition as I sit here today is my primary
9 point of challenge was the Bosch spark plugs.

10 Q. And he was testifying more than 40 years
11 after World War II; right?

12 A. If my memory serves me right, that was a
13 preservation deposition taken in the late 90s.

14 Q. Okay.

15 A. So it would certainly be at least four
16 decades or more after he would have been stationed
17 at Harrington Army Airfield.

18 Q. And you would agree that testimony by a
19 living witness who had gone through historical
20 events decades earlier can have value? That is a
21 general statement.

22 MS. HURT: Objection to form.

23 THE WITNESS: Well, again, as a general
24 statement, I will agree with that. But testimony,
25 like all historical evidence that historians use,

1 needs to be evaluated. My assignment for the
2 Harrington Army Airfield case was if TCE was used
3 or not used. And that is why I focused on the
4 Bosch spark plug comments, and not really his
5 other comments about B29s.

6 I do now recall that he said they had a
7 TCE vapor degreaser there that had been made, but
8 we never found any reference to that either. And
9 there were other discussions. But really the
10 point of reference and the point of my interest
11 was the Bosch spark plugs.

12 Q. I understand. Are you aware that there
13 are oral histories on the U.S. Marines website for
14 people that served at Lejeune as far back as the
15 40s?

16 A. I just have become aware of that, yes.

17 Q. Why didn't you review any of those in
18 connection with any of your work in this matter?

19 A. I did. My staff and I -- myself in
20 conjunction with my staff, we did an extensive
21 review of the websites, and I never came across
22 those oral histories. I never became aware of
23 them until recently.

24 Q. Have you looked at them now that you
25 have been aware of them?

1 A. I have not. One of my staff members is
2 taking a cursory look at some of them.

3 Q. And they're addressed in one of the
4 Longley's reports, which we will get to him. Have
5 you reviewed Longley's -- all of his reports?

6 A. Yes.

7 Q. Do you know what a BUMEDS is --
8 B-U-M-E-D-S?

9 A. I do not.

10 Q. Or NAVNEDS, N-A-V-N-E-D-S?

11 A. I believe I have seen that word, but I
12 don't recall what it means.

13 Q. Are you aware that there are historical
14 regulations pertaining to the Navy and to the
15 operation of its bases and sometimes they are
16 called by in shorthand things like NAVNED?

17 A. I now realize -- I think you are using
18 the shorthand. So BUMED might be Bureau of
19 Medicine.

20 Q. Yes.

21 A. And NAVNED would be navigation -- I
22 don't remember the rest of it.

23 Q. Do you know whether a complete set of
24 the historical Navy regulations exists to cover
25 the only time period from say the 40s to the 80s?

1 of the people that were there?

2 A. As I said, I'm very wary of using
3 deposition testimony because I see a lot of
4 contradictions in it. I'm not sure --
5 Mr. Urquhart said everything that was filled at
6 Hadnot Point, but then there were a lot of filling
7 stations all over the base. That seems somewhat
8 contradictory to me.

9 Q. Do you think the deposition testimony is
10 something that a historian can consider as part of
11 methodology?

12 A. It's certainly something you can
13 certainly consider it, yes.

14 Q. Do you think that sworn affidavits or
15 sworn declarations under oath are materials that a
16 historian can consider as part of his or her
17 historical methodology?

18 A. I think they can be considered. But as
19 I believe I testified to not too long, they have
20 to be weighed and considered along with other
21 sources.

22 Q. And one of the historian's jobs is to
23 weigh and consider different sources of evidence
24 and different incoming information; correct?

25 A. Yes.

1 Q. Okay. And as additional information
2 comes in, a historian may, as a matter of
3 methodology, need to revise, amend, or correct
4 what they said earlier; right?

5 A. That's part of a process of historical
6 writing.

7 Q. And in this case, Dr. Longley issued an
8 initial report which identified President Nixon as
9 having been at Camp Lejeune. You remember that?

10 A. Yes, I do.

11 Q. And your report refuted that and showed
12 evidence that President Nixon never was at Camp
13 Lejeune during the time period; correct?

14 A. Yes, that's correct.

15 Q. And a supplemental report where he found
16 that President Kennedy had been at Lejeune in the
17 60s and I think President Reagan had been at
18 Lejeune. Do you remember that?

19 A. Yes. Kennedy obviously in the early 60s
20 and I believe President Reagan was in 1983 after
21 the Beirut disaster, for lack of a better word.

22 Q. Before you saw that in Dr. Longley's
23 report, were you aware that Kennedy or Reagan had
24 been at Lejeune during the time period?

25 A. When I was reviewing The Globe, I

1 asked to address -- I'm not saying those are not
2 important, but they were not germane to what I was
3 writing about in my report. I could write a
4 report with all of those types of people visiting.
5 It would be a very long report, but it certainly
6 could have been done.

7 BY MR. HUGHES:

8 Q. Don't you think it's germane if there is
9 an issue, if you go out of your way to say
10 Dr. Longley was incorrect. President Nixon wasn't
11 there.

12 MR. HURT: Objection to form.

13 THE WITNESS: Which begs the question
14 were other Presidents there, but then you don't
15 even mention that. Do you see what I'm talking
16 about?

17 MS. HURT: Objection to form.

18 THE WITNESS: I understand your
19 questions. I just don't know that I agree with
20 it. We were reviewing Dr. Longley's report for
21 accuracy and we found these inaccuracies. And so
22 that's why I wrote about them in my February
23 report.

24 BY MR. HUGHES:

25 Q. Right. And the reason why Longley had

1 cited to the Nixon photo was he was trying to
2 establish that major figures would come to Hadnot
3 and speak and, therefore, servicemembers and
4 others would come to see them. Do you remember
5 that topic in Longley's report?

6 MS. HURT: Objection to form.

7 THE WITNESS: I do.

8 BY MR. HUGHES:

9 Q. Okay.

10 A. I do remember that discussion, and I do
11 not disagree with Mr. Longley that people went to
12 Hadnot Point to see such speakers. Speakers such
13 as an important person like a President or a
14 Governor, Secretary of Defense, whoever it may be,
15 as well as entertainment. I don't disagree with
16 the characterization that Hadnot Point was the
17 center of activity at Camp Lejeune.

18 Q. You don't disagree with that?

19 A. No, my point is that there were other
20 areas of Camp Lejeune as well.

21 Q. I understand. A historical
22 methodology -- can we call it a search for the
23 truth, or no?

24 A. Well, that begs the question: What is
25 historical truth? You say that every generation

1 writes its own history. That doesn't mean all
2 past generations were being dishonest.

3 Q. Right.

4 A. All historians, whether it is
5 Dr. Longley, Dr. Kelman, or myself, are doing our
6 best to seek an understanding of what we are
7 writing about, doing this kind of public history
8 or academic history.

9 Q. You mentioned public history. Do you
10 agree this there is a category called the public
11 historian?

12 A. Yes, I very much agree that there is a
13 field of public history. There is a journal about
14 public history. I consider the work that I do,
15 and those who work for me, as a form of public
16 history. Public history, I've heard told, is a
17 very broad area that can include -- a person I was
18 in graduate school with the Director of the
19 American Museum at the Smithsonian. That is
20 public history. People who work there are public
21 history. There are all kinds of fields of public
22 history.

23 Q. Okay. You know if Michael Partain would
24 be reasonably called a public historian?

25 A. I believe he -- based upon his

1 activities, research activities and his education,
2 I think he fits the bill.

3 Q. Okay. So am I correct that one topic
4 you and your team were not asked to look at was
5 the history of the disclosure of information
6 regarding the opening of ABC Dry Cleaners?

7 MS. HURT: Objection to form and
8 foundation.

9 THE WITNESS: I want to make sure I
10 understand your question. So when you say the
11 disclosure, do you mean previous attempts to
12 locate information on the opening?

13 BY MR. HUGHES:

14 Q. What I mean is the contamination is
15 discovered, according to the timelines, around
16 1980. Does that match your recollection looking
17 at the general facts?

18 A. Yeah, 1980, the early 1980s concern
19 started to be expressed.

20 Q. At that point we had some empirical
21 water sampling and lab analysis of samples from
22 the base. Do you have a general understanding
23 that that happened?

24 A. I do.

25 Q. Okay. Now, Mike Partain's timeline,

1 THE WITNESS: Correct.

2 BY MR. HUGHES:

3 Q. There are different references to the
4 total number of people that may have passed
5 through the gates of Lejeune during that time
6 period could have been a million people. Have you
7 seen that?

8 A. I have seen numbers of around a million,
9 yes.

10 Q. And given what I just walked you through
11 in terms of longevity and dates, would you agree
12 it's reasonable to conclude that there are
13 thousands of people alive today that lived or
14 worked at Lejeune during that statutory time
15 period?

16 MS. HURT: Objection to form.

17 THE WITNESS: Yes.

18 BY MR. HUGHES:

19 Q. Okay. And your team has not interviewed
20 a single one of them; correct.

21 A. Correct.

22 Q. Are you aware that there is a
23 court-ordered repository of documents in this
24 case?

25 A. I don't know if I am or not.

1 Q. I take it you've never -- you and your
2 staff have never gone to look at the documents in
3 a court ordered repository in this case?

4 A. I know we've never had such an
5 undertaking, no.

6 Q. Are you aware that sometimes in large
7 litigations a permanent archive of repository
8 documents would be created?

9 A. Yes.

10 Q. Would you agree from a historian's
11 perspective that could be a good thing to help
12 preserve historical information; correct?

13 A. It's certainly possible, yes.

14 Q. Would you agree that if the court were
15 to order a permanent repository archive of all the
16 Lejeune documents and data that have been brought
17 forward for this litigation, if a court ordered
18 that, from a historian's perspective that would be
19 a good thing?

20 MS. HURT: Objection to form.

21 THE WITNESS: Well, as a historian, I'd
22 like to have everything kept.

23 BY MR. HUGHES:

24 Q. So is that a yes?

25 A. Yes.

1 A. I would go with one of the conclusion
2 and if I was drafting that sentence on page 26, I
3 would add the word "likely."

4 Q. Okay. And that's an iterative aspect to
5 history. Right? The historical method is
6 sometimes you have to correct things; right?

7 MS. HURT: Objection to form.

8 THE WITNESS: As I said, yes, you do
9 have to correct things. I said earlier, every
10 generation likes to write its own history.

11 BY MR. HUGHES:

12 Q. I understand. So in Dr. Longley's case,
13 he had to correct the Nixon reference; right?

14 A. Yes.

15 Q. And there was a demonstrative photo of a
16 water buffalo which was captioned as being at
17 Hadnot, but it wasn't. He had to correct that;
18 correct?

19 A. Correct.

20 Q. There was a photo of the Holcomb
21 Boulevard water treatment plant which I believe he
22 was -- said the photo was dated from one year but
23 it was actually dated from another year. You
24 remember that?

25 A. Yes.

1 Q. And in his subsequent reports, following
2 your identification of those errors, he tried to
3 fix them; correct?

4 MS. HURT: Objection to form.

5 THE WITNESS: Yes.

6 BY MR. HUGHES:

7 Q. And that's a proper part of an
8 historical methodology; right?

9 MS. HURT: Objection to form.

10 THE WITNESS: Yes.

11 BY MR. HUGHES:

12 Q. Water buffalos -- on the bottom of page
13 2 they talk about water buffalos.

14 A. One moment. Okay. I'm there.

15 Q. So first, you reference water buffalos
16 or water bulls. Where did get the phrase "water
17 bulls"? Do you remember?

18 A. I do remember. When I was on base in
19 May of this past year, we were told by Marines
20 that they call them water bulls. So I put both in
21 to try to be inclusive.

22 Q. Yes, sir. Okay. Do you have an
23 understanding of how the historical water buffalos
24 were filled mechanically. In other words, do you
25 have an understanding of whether they were filled

1 land.

2 BY MR. HUGHES:

3 Q. On page 26 of your report you cite to
4 the deposition of Mr. Melts; correct?

5 A. Yes, that's correct.

6 Q. And you cite to how the ATSDR cited to
7 the Melts deposition; correct? That's at the top
8 of the page.

9 A. Yes, footnote 75 is reference to the
10 ATSDR documents.

11 Q. Yes.

12 A. And then that continues into footnote 76
13 and footnote 77.

14 Q. Are you aware that Mr. Melt's deposition
15 is linked on the timeline on the website, The Few,
16 the Proud?

17 A. Yes.

18 Q. And you are aware that there are places
19 in that deposition where Mr. Melts testifies to
20 the effect that ABC was running in 1953; correct?

21 MS. HURT: Objection to form.

22 THE WITNESS: Correct.

23 BY MR. HUGHES:

24 Q. Okay. If we keep going, on page 27 we
25 have an image on the Camp Lejeune High School

1 yearbook from 1954; correct?

2 A. Yes.

3 Q. How did you all find that, if you know?

4 A. This was -- I was made aware of that by
5 the DOJ. I went to Classmates.com and bought my
6 own copy -- reproduction of this document.

7 Q. Okay. Do you know why the Model and
8 Hobby Shop ad is reversed on the right-hand side?
9 It's upside down.

10 A. Yes, it's really upside-down, and I
11 don't know why that happened, unless somebody put
12 the book together wrong.

13 Q. The viewpoint for that is that the Model
14 and Hobby Shop, as best you can tell, was on the
15 same premises as what ABC Dry Cleaners ended up
16 being on. And so your inference is if the Hobby
17 Shop was in the yearbook in 1954, then the dry
18 cleaners couldn't have replaced it for the whole
19 year of 1954. Is that fair?

20 MS. HURT: Objection to form.

21 BY MR. HUGHES:

22 Q. Put it in your own words.

23 A. That's fine. Other documents talk about
24 that the ABC One Hour Cleaners went in where the
25 Hobby Shop had been. So my inference is not just

1 based on the yearbook.

2 Q. Okay. And so the difference between the
3 1953 date and the 1954 date is less than a year;
4 correct?

5 MS. HURT: Objection to form.

6 THE WITNESS: It would be approximately
7 ten months.

8 BY MR. HUGHES:

9 Q. And you don't have any knowledge of
10 whether that ten months makes any significant
11 difference in the water modeling analysis; right?

12 MS. HURT: Objection to form.

13 BY MR. HUGHES:

14 Q. How are you using the word
15 "significant"?

16 A. If you look at the reports by the
17 Plaintiffs' experts on Phase 1, they indicate that
18 even if you move the start date for ABC ahead or
19 back by 10 months, the contamination still occurs
20 and grows and gets to the levels that the ATSDR
21 estimated using a curve that's pretty similar,
22 whether it's the 52 days or the 54 days.

23 But the question I'm asking you is, you
24 don't have an opinion one way or another as to
25 whether it makes a difference in the analysis;

1 correct.

2 MS. HURT: Objection to form.

3 THE WITNESS: I have done a lot of these
4 TCE cases and you asked initially about the
5 Harrington Army Airfield.

6 BY MR. HUGHES:

7 Q. Yes, I did.

8 A. I have a lay person's knowledge, like
9 fate and transport, and that's all it is. So I
10 know some time difference can make a little bit of
11 change, but I'm not qualified to say how much.

12 Q. Fair enough. Then we get to the grand
13 opening ad on page 28. How did you guys find this
14 back issue of the Jacksonville Daily News?

15 A. This was provided to me by the
16 Department of Justice.

17 Q. So when you say that, does that mean
18 they found it and gave it to you, versus your team
19 finding it?

20 A. My team looked and looked and looked and
21 they were unable to find a back issue of the
22 Jacksonville Daily News.

23 Q. Yes, sir. But then your client found it
24 for you?

25 MS. HURT: Objection to form.

1 THE WITNESS: We were looking for it.
2 We had heard about it. We couldn't find it. It
3 was given to us. We tried to find it again
4 ourselves, but we were unable to.

5 BY MR. HUGHES:

6 Q. And the yearbook, that's another one you
7 couldn't find, your team couldn't find it, but the
8 Government could find if for you?

9 MS. HURT: Objection to form.

10 THE WITNESS: Again, I don't recall how
11 I became aware of the yearbook. I went out, as I
12 said, on Classmates.com and was able to view the
13 page in question, so I bought it.

14 BY MR. HUGHES:

15 Q. But you had been told about this first;
16 right?

17 A. Yeah, I was provided with the entire
18 page.

19 Q. All right. The bottom of page 27, a
20 grand opening advertisement.

21 A. Right.

22 Q. Sitting here today, do you know whether
23 ABC One Hour Cleaners was in operation on June 28,
24 1954?

25 MS. HURT: Objection to form.

1 A. I see now. Thank you.

2 Q. Have you revised any of your opinions
3 since the date of the February 7th, 2025, report?

4 A. Well, you previously asked and as I
5 responded, Dr. Longley did correct the errors --
6 Dr. Longley's most recent report he made
7 corrections to some of the errors that I pointed
8 out in this report, if that makes sense.

9 Q. Yes, sir. On page 1, you say -- first
10 numbered paragraph, you talk about three instances
11 where you say that: Dr. Longley entirely and
12 egregiously misrepresents the source material;
13 correct?

14 A. Which point was that under, sir? Okay,
15 thank you.

16 Q. We talked about it earlier. You find
17 three instances where Dr. Longley's report was
18 incorrect. The first was the Nixon photo, the
19 second one was the demonstrative photo of water
20 buffalos at Hadnot Point, and the third was the
21 date range for the Holcomb water plant. Are those
22 the three instances you are talking about?

23 A. Yes, they are.

24 Q. And your understanding is he has sought
25 to correct those three in his subsequent report?

1 A. Yes.

2 Q. Okay. Now page 1, the numbered
3 paragraph 2 --

4 A. Okay.

5 Q. -- at the end of it you say -- first
6 page: Although Hadnot Point is the center of many
7 activities at Camp Lejeune, there are other areas,
8 et cetera.

9 So you will agree with me, correct, that
10 during our historical time period Hadnot Point was
11 the center of many activities at Camp Lejeune?

12 MS. HURT: Objection to form.

13 THE WITNESS: Yes, I have never denied
14 that.

15 BY MR. HUGHES:

16 Q. Top of page 2, you note -- you discussed
17 other water treatment plants, the ones aside from
18 Hadnot and Tarawa. And you said the ATSDR did not
19 conclude that those other water treatment plants
20 were further contaminated; correct?

21 A. That's what I said.

22 Q. Having said that, you are not aware of
23 whether there were significant levels of
24 trichloromethane found in the New River Air
25 Station system in the early 1980s; correct?

1 Q. Do you agree that there are things in
2 Dr. Longley's report that are not included in your
3 report?

4 A. I would say quite a bit.

5 Q. And there are things in your report that
6 are not in Dr. Longley's report; correct?

7 A. Again, I would say there is quite a bit.

8 Q. On page 3 of your second report, towards
9 the bottom you cite to Mike Magner's book. Do you
10 see that?

11 A. Yes, I'd do: A Trust Betrayed.

12 Q. Did you read the book?

13 A. I have the book. I reviewed it. I'm
14 not going to say I read it word by word. When I
15 purchased these books, I was looking for
16 historical information.

17 Q. Did you find Mike Magner's book to be
18 reliable as far as you could tell?

19 MS. HURT: Objection to form.

20 THE WITNESS: I just don't recall. It's
21 been nearly a year ago.

22 BY MR. HUGHES:

23 Q. Okay. But you did cite it in your
24 report; correct?

25 A. I certainly listed it here. I don't

1 recall if I cited it in the body of my report.

2 Q. Fair enough. And then on page 4 -- this
3 is your second report February 2nd, 2025 -- top of
4 page 4, you cite to reports prepared by ATSDR;
5 correct?

6 A. Yes, I do.

7 Q. Including a summary of the water
8 contamination situation at Camp Lejeune dated 2024
9 from the website; correct?

10 A. Yes.

11 Q. And the Maslia publication in the
12 journal called Water from 2016; correct?

13 A. Yes.

14 Q. And there is no caveat here. In other
15 words, I don't see here whether as a historian you
16 commented that either one of these publications
17 was not entirely reliable; correct?

18 MS. HURT: Objection to form.

19 THE WITNESS: I did not say that.

20 BY MR. HUGHES:

21 Q. As far as you know, those two
22 publications are entirely reliable; correct?

23 MS. HURT: Objection to form.

24 THE WITNESS: I certainly think they are
25 reliable.

1 THE WITNESS: Yeah, corroborative
2 sources would good.

3 BY MR. HUGHES:

4 Q. And you understand since the time of his
5 first report, Dr. Longley, he's endeavored to do
6 more work. He, for example, took the formal oral
7 history recording of Mr. Partain and
8 Mr. Ensminger, which has been provided; correct?

9 A. Yes.

10 Q. On page 13 of your report, you see
11 numbered paragraph 6?

12 A. Yes.

13 Q. Okay. And it talks about six lines
14 down, how the depositions were taken in 2024 -- or
15 the declaration was in 2024, but that was four
16 years after the individuals were at Lejeune. You
17 see that?

18 A. Yes.

19 Q. And as we discussed, you are aware now
20 that on the U.S. Marines official website there
21 are oral histories of individuals that relate to
22 historical events going all the way back to World
23 War II; correct?

24 A. Yes.

25 Q. And so clearly, in some cases oral

1 histories can be of oral historians who are being
2 asked to recall events from decades earlier and it
3 can be a meaningful and valuable process; correct?

4 MS. HURT: Objection to form.

5 THE WITNESS: That's correct. That is
6 exactly what I was saying in the paragraph just
7 discussed.

8 BY MR. HUGHES:

9 Q. Well, what -- tell me what you are
10 saying. I was focused on the reference to
11 40 years after.

12 A. Okay. The deposition was taken in 2024,
13 and the declarations were written 2024, some
14 40 years after these individuals were at Camp
15 Lejeune. So that is certainly the case.

16 My concern, what I was pointing out was
17 really the last sentence where I wrote: Without
18 additional source material, Dr. Longley cannot
19 make assertions about what transpired at other
20 times during the 34-year statutory period.

21 So this goes to something else we were
22 talking about, point-in-time references.
23 Sometimes they are very, very good at telling us
24 exactly what happened at a given time in history.
25 But I think all historians, we have to be careful

1 we don't extrapolate too much from those types of
2 documents.

3 Q. Okay. So one phrase there to focus on
4 is "additional source material"? Right?

5 A. Yes.

6 Q. And that goes back to what we talked
7 about about additional source material can be
8 helpful; correct?

9 A. Yes.

10 Q. All right. Then if we go to page 18 on
11 this report.

12 A. I'm there.

13 Q. On page 18, we see the screenshot from
14 Longley's first report where he had a photo of the
15 water treatment plant near Holcomb Boulevard and
16 it was captioned 1960s. But you went behind -- or
17 your team did -- and you found that fact-checking
18 it, actually that picture was from August 10th,
19 1972; correct?

20 A. That's correct.

21 Q. And so your point -- one of your points
22 is that the photo is actually of the Holcomb
23 Boulevard plant in '72, while that is also
24 consistent with what we read from the ATSDR about
25 when the Holcomb plant opened; correct?

1 Q. Right. And you considered it relevant
2 to this issue of when ABC Dry Cleaners started;
3 right?

4 A. Absolutely.

5 Q. But that work -- to your knowledge, no
6 work like that was done back in 2012; right?

7 MS. HURT: Objection to form and
8 foundation.

9 THE WITNESS: Not to my knowledge, no.
10 BY MR. HUGHES:

11 Q. And as of 2012, if you look at page 6 of
12 Dr. Longley's report, the VA was actually using
13 the Partain website to train it's own people.

14 MS. HURT: Objection to form and
15 foundation.

16 BY MR. HUGHES:

17 Q. You see the VA slide on page 6; right?

18 A. I'm looking at it right now.

19 Q. Did you all fact-check this? Do we
20 know? Did you fact-check this?

21 A. This should have been fact-checked, yes.

22 Q. And do you have any reason to critique
23 it or dispute it sitting here today?

24 MS. HURT: Objection to form.

25 THE WITNESS: I have no reason to think

1 Q. And on the timeline they would have
2 seen, if they looked long enough, the reference to
3 ABC starting in 1953; correct?

4 MS. HURT: Objection to form.

5 THE WITNESS: Yes, looking at it, they
6 would have.

7 BY MR. HUGHES:

8 Q. Look at page 13, if you will. Do you
9 see a bigger image of the bus schedule on page 13?

10 A. Yes.

11 Q. This one is the youth activities bus
12 schedule; correct? It says it at the top.

13 A. Yes.

14 Q. And this is cited as coming from The
15 Globe, July 26, 1962; right?

16 A. Right.

17 Q. You all would have fact-checked it?

18 A. Yes.

19 Q. And sitting here today, you don't have a
20 critique; correct?

21 A. No, I don't.

22 Q. And if we go to page 14, you see a photo
23 from The Globe from '83 showing a cultural event,
24 the Guess Who rock band at Camp Lejeune; right?

25 A. Yes, indeed.

1 Q. If you go to page 16, you can see a
2 picture of the bowling alley at Hadnot in 1964
3 from The Globe; right?

4 A. Yes.

5 Q. And y'all fact-checked that as well?

6 A. Correct.

7 Q. Page 17, the cattle cars. Now, in
8 Longley's report here he says: Brigham also omits
9 mention of cattle cars. Do you see that sentence,
10 page 17?

11 A. Yes, that's just what I was reading.

12 Q. Is that true? Did you omit mention of
13 cattle cars in your first report?

14 A. I did not discuss cattle cars.

15 Q. Why not?

16 A. Well, again, it really was not what I
17 was tasked to do in my report.

18 Q. Your report talks about travel.

19 A. Well, yes, it does. But it's really
20 more the areas of the base.

21 Q. Which the cattle cars would go to?

22 A. That's true.

23 Q. But your point is the omission was not
24 malicious in nature; right?

25 A. No.

1 at 14:34.

2 (Whereupon, the deposition was recessed
3 from 2:34 p.m. to 2:43 p.m.)

4 We are on the record at 14:43.

5 BY MR. HUGHES:

6 Q. Dr. Brigham, let's mark and show you
7 Exhibit Number 6.

8 (Whereupon, Deposition Exhibit
9 No. 6 was marked for
10 identification.)

11 MY MR. HUGHES:

12 Q. I will represent this is a copy of
13 Dr. Longley's report dated March 17th, 2025. Have
14 you seen this one before?

15 A. Yes.

16 Q. All right. Have you and your group done
17 fact-checking on it to your knowledge?

18 A. We have reviewed it. My staff, we've
19 gone through it. I'm not sure of the degree of
20 fact-checking we did on the first report.

21 Q. Are there any Nixon type inaccuracies in
22 it as we sit here today that you are aware of?

23 A. None come to mind right now.

24 Q. If you look at page 2, first full
25 paragraph beginning "It is noteworthy..." do you

1 months? Am I doing my math right? It would be an
2 awful lot to do to get an expert report together
3 in four months. I had a lot of people doing a lot
4 of different things.

5 Q. Okay. All right. So from a perspective
6 of being an expert historian in a case, four
7 months -- if you had your druthers, you would
8 rather have more than four months to do a project
9 like this; is that true?

10 A. It is true. Because there are many
11 things in historical research that are out of the
12 historian's control, like how many hours can you
13 work at the Archives? How many hours can you go
14 to the Library of Congress? You don't want to be
15 gone forever. But four-month would be a very
16 tight schedule. Obviously that changed, which was
17 helpful.

18 Q. If you look at page 25 going to 26 of
19 this report from Dr. Longley, do you see the
20 string cites with excerpts from other oral
21 histories on the U.S. Marines website?

22 A. You said 25 on to 26?

23 Q. Yes.

24 A. Yes, I see this. I've seen this before.

25 Q. And you can see how it is referencing

1 here things like the commissary, NCOs, Tarawa
2 Terrace, et cetera; correct?

3 A. Yes, I see those things you just
4 mentioned.

5 Q. Would you agree that culling this sort
6 of information can be useful in terms of
7 historical methodology on a topic like the history
8 of Lejeune and the water contamination and water
9 use at Lejeune?

10 MS. HURT: Objection to form.

11 THE WITNESS: Yes, it certainly could
12 prove useful.

13 BY MR. HUGHES:

14 Q. At page 27, do you see the notes for the
15 Allan Howard witness dated August 2024? Do you
16 see that?

17 A. Yes, toward the bottom, yes.

18 Q. Now, as I understand your testimony, a
19 formal full-fledged oral history would have a
20 recording and a transcript. It wouldn't be just
21 be paraphrase or a summary; correct?

22 A. Correct.

23 Q. However, you will agree that a
24 historian, it's not required for a historian have
25 to have a reliable methodology for him only to use

1 A. Yes.

2 Q. But you would also agree that
3 Mr. Partain can still be a reliable public
4 historian, notwithstanding the fact that he came
5 to a different conclusion than you did as to the
6 start date?

7 MS. HURT: Objection to form.

8 THE WITNESS: Yes. In the instance of
9 ABC One Hour Cleaners, my choice of June of 1954
10 is based on the research that my staff and I did.
11 BY MR. HUGHES:

12 Q. I understand. Do you think that someone
13 needs to have a Ph.D. in history to be qualified
14 as an expert in history for court purposes?

15 A. No, I know people who don't have Ph.D.s
16 who have given testimony in court.

17 Q. As historians?

18 A. Yes.

19 Q. As historian experts?

20 A. Yes.

21 Q. Give me an example.

22 A. A number of years ago I had a
23 navigability for title project, and a person from
24 a firm similar to MorganAngelBrigham testified and
25 the individual had his master's degree.

1 Q. From what you've seen of Mr. Partain,
2 could he be qualified as a historian expert?

3 MS. HURT: Objection to form.
4 Foundation.

5 THE WITNESS: I can't say one way or
6 another. I'd have to just do more review.

7 BY MR. HUGHES:

8 Q. Okay. Well, we encourage you to do
9 that. If you look at page 6 going into page 7 of
10 his report, at the bottom of page 6, he says: A
11 final goal of this paper and project is to
12 memorialize this work in an academic database such
13 as the University of Central Florida's
14 STARS(Showcase of Text, Archives, Research and
15 Scholarship) Digital Repository and preserve the
16 Camp Lejeune Community Digital Archive in a
17 sustainable manner for future scholars to utilize.
18 Do you see that language?

19 A. Yes.

20 Q. From what you have seen of the The Few
21 and the Proud website, would you agree with me
22 that it has useful historical information on it?

23 MS. HURT: Objection to form.

24 THE WITNESS: Yes.

25 BY MR. HUGHES: